

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF KANSAS

STERLING THOMPSON,  
Plaintiff,

vs.

Case No. 07-1034-JTM

MICHAEL J. ASTRUE,  
Commissioner of Social Security  
Defendants.

MEMORANDUM AND ORDER

This matter is before the court on the recent motion by plaintiff Thompson seeking an extension of time to file a motion for reconsideration in this social security case. The court denied Thompson's underlying appeal nearly two years ago. (Dkt. 28). Since then, his attorney has withdrawn (Dkt. 31), and Thompson has filed two successive *pro se* Motions for Reconsideration, both of which have been denied by the court. (Dkt. 48 & 52). As the court noted in the last order, Thompson's second motion was "simply a reargument of issues previously advanced in the original briefing."

Thompson's present motion offers no valid basis for extending the time to submit a third request for reconsideration, but in any event the court has no jurisdiction to grant the relief sought. District courts lack the power to extend the time for the filing of a motion for reconsideration under Fed.R.Civ.Pr. 59. *Weitz v. Lovelace Health Sys.*, 214 F.3d 1175 (10th Cir. 2000). Similarly, a motion

for relief under Rule 60 is timely only if filed within one year of judgment. The court finds it is without jurisdiction to grant the relief sought, and accordingly plaintiff's motion (Dkt. No. 53) is hereby denied.

IT IS SO ORDERED this 26<sup>th</sup> day of June, 2009.

s/ J. Thomas Marten  
J. THOMAS MARTEN, JUDGE